

INITIAL STATEMENT OF REASONS

FOR PROPOSED BUILDING STANDARDS OF THE CALIFORNIA ENERGY COMMISSION

REGARDING THE BUILDING ENERGY EFFICIENCY STANDARDS, CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 1 and Part 6

Minor Amendments to Update to Current Version of National Fenestration Rating Council (NFRC) Rating and Labeling Procedures

The Administrative Procedure Act (APA) requires that an Initial Statement of Reasons be available to the public upon request when rulemaking action is being undertaken. The following information required by the APA pertains to this particular rulemaking action:

STATEMENT OF SPECIFIC PURPOSE AND RATIONALE:

Sections of Title 24 affected by this rulemaking:

Part 1, Section 10-102
Part 1, Section 10-111(a)1.B.
Part 1, Section 10-111(a)1.C.
Part 1, Section 10-111(a)1.E.
Part 6, Section 101(b)
Part 6, Section 116(a)1.
Part 6, Section 116(a)2.A.
Part 6, Section 141(c)5.
Part 6, Appendix 1-A

The Building Energy Efficiency Standards adopt the National Fenestration Rating Council's (NFRC) rating and labeling procedures by reference. Virtually all windows installed in buildings subject to the Standards follow those procedures. The current Standards reference 1995, 1997, and 2000 versions of the procedures. NFRC recently adopted the 2002 versions of the procedures, which are technical improvements of the previous procedures. NFRC will allow windows (fenestration) to be labeled with the new procedures starting April 1, 2003 and will require all windows to use the new procedures starting April 1, 2004. This rulemaking proceeding is required to update the Standards to recognize and incorporate by reference the updated NFRC procedures. The rulemaking will result in a minor reduction in the stringency of the Standards for some windows and virtually no change in stringency for other window products.

In addition, Title 24, Part 6, Appendix 1-A lists contact information for NFRC; these amendments are updating that contact information.

TECHNICAL, THEORETICAL, AND EMPIRICAL STUDY, REPORT, OR SIMILAR DOCUMENTS:

The NFRC documents referenced in Title 24, Part 1 and Part 6 are as follows:

NFRC 100	Procedure for Determining Fenestration Product U-factors (to be updated from the 1997 to the November 2002 version; Part 2 of the November 2002 version includes procedures for site built fenestration formerly in a separate document called NFRC 100-SB)
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NFRC 200	Procedure for Determining Fenestration Product Solar Heat Gain Coefficients at Normal Incidence (to be updated from 1995 to the November 2002 version)
NFRC 400	Procedure for Determining Fenestration Product Air Leakage (to be updated from 1995 to the January 2002 version)

CONSIDERATION OF REASONABLE ALTERNATIVES

NFRC is the only organization that is authorized by the Energy Commission's administrative regulations (§ 10-111) to serve as supervisory entity for the rating and labeling of windows and skylights (fenestration). It is necessary for the Standards to reference the current versions of the NFRC rating and labeling procedures.

REASONABLE ALTERNATIVES THE AGENCY HAS IDENTIFIED THAT WOULD LESSEN ANY ADVERSE IMPACT ON SMALL BUSINESS.

Not applicable.

FACTS, EVIDENCE, DOCUMENTS, TESTIMONY, OR OTHER EVIDENCE OF NO SIGNIFICANT ADVERSE IMPACT ON BUSINESS.

These amendments make minor changes to the Standards to update references to the NFRC window-rating and labeling procedures. It is expected that these amendments will slightly reduce the stringency of the Standards for some window products and make virtually no change to the stringency of the Standards for other window products, thereby causing no significant adverse economic impact on business.

DUPLICATION OR CONFLICTS WITH FEDERAL REGULATIONS

The amendments will not duplicate or conflict with federal regulations.